

Code of Practice for Freedom of Speech

A. Introduction

Corndel College London (CCL) is committed to securing academic freedom and freedom of speech within the law for all members of its community, including staff, students, and visitors (including visiting speakers). In accordance with its statutory duties, CCL shall take all reasonably practicable steps to ensure that lawful speech is not inhibited or restricted on its premises or through its activities. This includes ensuring that individuals are not denied access to premises or facilities based on the content or viewpoint of their lawful expression. The Institution welcomes the ability of its community members to freely express as well as hold ideas and opinions, some of which may be controversial, provided that such expressions, ideas and/or opinions are within the law. ***As defined at Part A1 of HERA (as amended by the Act).***

B. Definitions and Legal/Regulatory Context

1. The Higher Education and Research Act 2017, as amended by the Higher Education (Freedom of Speech) Act 2023, imposes statutory duties on registered higher education providers in England to uphold and promote freedom of speech and academic freedom.
2. These duties are grounded in Article 10 of the European Convention on Human Rights (ECHR), as incorporated into domestic law by the Human Rights Act (HRA) 1998. The legislation protects the lawful expression of views, including those that may be controversial, provocative, or offensive, particularly within academic contexts. It affirms the right of academic staff to question received wisdom and to advance new or unpopular ideas without fear of institutional disadvantage.
3. **Freedom of speech** means the freedom to impart ideas, opinions or information by means of speech, writing or images (including in electronic form). This right includes freedom of artistic expression such as a painting or the production of a play.¹

¹ [Regulatory advice 24: Guidance related to freedom of speech - Office for Students](#)

4. **Academic freedom** means that staff who are engaged in higher education teaching and research have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges, or having the likelihood of securing promotion or different jobs being reduced.²
5. As a registered higher education provider, CCL is subject to the statutory duties set out in **paragraph 1 and paragraph 2 above**. As such the institution must:
 - i. take all reasonably practicable steps to secure freedom of speech within the law for its staff, students, members, visiting speakers and all persons lawfully on its premises (including those using its online environment). CCL's duty to secure freedom of speech includes a duty to secure academic freedom for academic staff and ensure that no individual is denied the use of any premises or facilities based on their lawful expression of views.
 - ii. actively promote the importance of freedom of speech within the law, including a culture of open intellectual inquiry and respectful debate. This incorporates actively promoting academic freedom for academic staff in the provision of higher education. These principles are embedded by CCL in staff training, student induction, and within other institutional policies. Please also see **paragraph 3** above.
 - iii. establish and maintain transparent and fair procedures for receiving and investigating complaints relating to breaches of freedom of speech or academic freedom. Such procedures must protect anyone making a complaint. Please also see **Section F** below.
 - iv. adopt, maintain, regularly review and publish a Code of Practice addressing matters relating to freedom of speech as well as detailing steps to be taken by CCL to secure lawful freedom of speech. Please also see **Section H** below.
 - v. comply with and balance a range of other legislation that relate with the requirements of the Higher Education and Research Act 2017, as amended by the Higher Education (Freedom of Speech) Act 2023. These include:

² [Regulatory advice 24: Guidance related to freedom of speech - Office for Students](#)

- Health and Safety at Work 1974
- Public Order Act 1986
- Education (No. 2) Act 1986
- Education Reform Act 1988
- Data Protection Act 1998
- European Convention on Human Rights enshrined in UK Law by the Human Rights Act 1998
- Protection from Harassment Act 1997
- Proceeds of Crime Act 2002
- Racial and Religious Hatred Act 2006
- Terrorism Acts 2000 and 2006
- Equality Act 2010
- Counter Terrorism and Security Act 2015
- General Data Protection Regulation 2018

6. This is not an exhaustive list, and CCL will consider other relevant legislation when making decisions regarding academic freedom and freedom of speech. Please refer to **Appendix A** for more information.

C. Scope

7. This document constitutes CCL's Code of Practice for Freedom of Speech and sets out the principles and procedures by which the Institution upholds its legal obligations in this regard.
8. The Code is subject to review annually or prior, where necessary, to reflect changes in law, guidance, and institutional practice. Individuals such as CCL staff, students (including Student Representatives) and visitors who have a question about this Code should contact the Academic Registrar by sending an email to registry@corndel.com.
9. This Code sets out the procedures that must be followed during meetings and other activities held on CCL's premises and online environment and/or in association with CCL's brand, including those involving external speakers. The Code also outlines the conduct expected of participants and the steps CCL will take to secure freedom of speech.

10. With the exception of meetings, events and activities that fall within the scope of **paragraph 36** below, this Code applies to all physical and online meetings, events and activities including but not limited to lectures, seminars, workshops, committee meetings, exhibitions and performances in any spaces, wherever situated, of which CCL has title or possession, by freehold, leasehold, licence or otherwise.

11. This Code applies to the following groups:

- CCL Board of Governors and Committee Members;
- CCL Staff (Academic Staff and Professional staff);
- CCL Students;
- Visiting speakers; and
- Any person organising or in attendance at any meeting, event or activity on CCL's premises including CCL's online environment or at a separate location, in CCL's name.

12. This Code applies to all policies and procedures relating to CCL as a higher education provider and provides a framework for the management and oversight at the Institution. This Code should be read in conjunction with the following policies and procedures which have Freedom of Speech implications for the identified groups in **paragraph 11** above. These policies and procedures can be found on the website at www.corndelcollege.com.

- Equal Opportunities Policy
- Health and Safety Policy
- IT Acceptable Use Policy
- Safeguarding Policy
- Staff Code of Conduct
- Staff Disciplinary Policy and Procedure
- Student Bullying, Harassment and Sexual Misconduct Policy
- Student Complaints Procedure
- Student Conduct Procedure

*CCL Staff should also refer to the Staff Handbook.

13. In the formulation of any decision or policy development that may have a direct or indirect impact, whether favourable or adverse, on the exercise of freedom of speech, decision makers at CCL are required to adhere to the provisions of this

Code and act in a manner consistent with the Institution's statutory duties in respect of freedom of speech.

14. In the event of any inconsistency or conflict between this Code and any other Institutional policy or procedure, the provisions of this Code take precedence.

D. Values and commitments

- **Articles of Association**

15. The Articles of Association, which constitute the foundational governance framework of CCL, affirm the institutional commitment to the protection of academic freedom. The Articles enshrine the principle that teaching and research will support the pursuit of open intellectual inquiry, and that free and respectful debate will be conducted within a climate of mutual tolerance.

16. In accordance with the Institution's obligations under the Higher Education (Freedom of Speech) Act 2023 and as set out in CCL's Articles of Association, all reasonably practicable steps will be taken to secure freedom of speech within the law for CCL's staff, students, members, and visiting speakers. This includes ensuring that access to institutional premises is not denied to any individual or body based on their ideas, opinions, views, or beliefs, or, in the case of a body, on account of its policies, objectives, or the views or beliefs of any of its members.

17. In line with CCL's Articles, the Board of Governors has overall responsibility for monitoring compliance with statutory duties under the Higher Education (Freedom of Speech) Act 2023. The Board of Governors will receive regular reports on freedom of speech and academic freedom matters and ensure that institutional policies and practices align with the legislation and OfS guidance.

18. For more information, please refer to CCL's [Articles of Association](#).

- **Equality, Diversity and Equality duty**

19. CCL is committed to the Equality duty and promoting equality, eliminating discrimination, and fostering an inclusive, fair and culture of diversity. The Institution fosters a positive working, learning and social environment in which the rights and dignity of all staff and students are respected and not violated. The

Equality Policy encourages freedom of thought and expression within a framework of mutual respect. For more information, please refer to the [Equal Opportunities Policy](#).

- **Safeguarding and Prevent duty**

20. CCL is committed to upholding its statutory safeguarding and Prevent duty responsibilities while promoting lawful freedom of speech. These responsibilities apply to all students, staff, visitors, and members of the wider community who engage with the Institution, whether in person or online.

21. The Institution will take reasonable steps to protect children and vulnerable adults from harm, abuse, exploitation, and radicalisation and as such, CCL Safeguarding obligations may require limiting speech that could cause psychological harm, promote extremism, or place vulnerable individuals at risk.

22. Safeguarding risks are assessed during CCL's Event and Speaker approval processes, and additional controls may be applied to ensure compliance with legal duties. Those planning or delivering events must do so in line with the provisions of this Code and as well as consider any Safeguarding risks. Organisers should report any concerns about their event as soon as practically possible to the Designated Safeguarding Lead at safeguarding@corndel.com.

The event organiser should refer to the Events and Speaker Policy.

E. Fulfilling CCL's Statutory Duties on Academic Freedom and Freedom of Speech

23. In accordance with the Higher Education and Research Act 2017, as amended by the Higher Education (Freedom of Speech) Act 2023, and with reference to CCL's Articles of Association, this Code of Practice is published on the Institution's website and brought to the attention of all applicants to higher education programmes during the admissions process.

24. The Code is formally communicated in writing to all enrolled students, staff, and contractors upon joining CCL, and is reissued at least annually thereafter.

25. As part of CCL's commitment to fostering a culture that values freedom of speech and academic freedom, the principles and expectations set out in this Code are

embedded in induction programmes for new staff and students and form a component of the institution's annual training requirements for staff.

26. Exposure to teaching, dialogue, and debate where ideas and opinions may be expressed and constructively challenged is fundamental to a robust academic environment. CCL affirms that such expression, including views that may be controversial or offensive to some, is protected provided it remains within the bounds of the law and does not infringe upon the legal rights of others. The design, delivery, scheduling and assessment of the curriculum are structured to support the articulation of diverse perspectives without undue restriction.
27. No member of staff, student, or applicant shall be subjected to less favourable treatment or disciplinary action for exercising their lawful rights to academic freedom or freedom of speech. This protection does not exempt individuals from meeting the Institution's expectations for professional and respectful conduct, as outlined in **Section D** of this Code.
28. CCL Committees and Boards with responsibilities that may intersect with matters of freedom of speech are required to include explicit consideration of such implications within their terms of reference.
29. In assessing compliance with its statutory duty to secure freedom of speech within the law, CCL will evaluate whether the speech in question is lawful, and what reasonably practicable steps can be taken to secure it. Any restrictions imposed must be demonstrably prescribed by law, proportionate, and consistent with the European Convention on Human Rights and the Human Rights Act 1998, as well as other applicable legal requirement such as Safeguarding, Prevent duty and Equality Act. Consideration will also be given to the need to protect physical safety and maintain the effective operation of the institution.
30. Mechanisms are in place to enable staff, students, and other stakeholders to raise concerns regarding the exercise of academic freedom or freedom of speech, as detailed in **Section G**.
31. Records of decisions reached that have, or are likely to have, a material impact on the exercise of lawful freedom of speech will be securely maintained. These records will include evidence of how due regard was given to freedom of speech.

Significant issues and emerging trends will be reported annually to the Board of Governors. Please see **Section H** for more information.

F. Procedures for organising events, meetings and other activities

32. CCL organises events, meetings, and activities in accordance with established institutional procedures to ensure alignment with academic objectives, operational requirements, and legal obligations.

- **Timetabled Academic Activities**

33. Timetabled academic activities are held solely online and scheduled through a centralised process to support effective curriculum delivery. This process is managed by the Operational Planning Team in collaboration with the Professional Development Experts responsible for delivering teaching to CCL students. The primary objective of this process is to ensure the effective delivery of teaching and learning across all programmes and to maintain coherence and efficiency in institutional timetabling.

- **One-to-One Student Meetings**

34. Regular one-to-one meetings between students and their assigned Professional Development Expert are scheduled individually. These meetings are designed to support student progress, provide personalised academic and professional guidance, and ensure alignment with programme expectations.

- **Committee and Operational Meetings**

35. Operational and governance meetings are convened based on institutional need and relevant terms of reference. Meetings of institutional committees and boards are convened in accordance with their respective Terms of Reference. Other operational meetings such as Executive Team meetings, departmental meetings, and staff briefings are organised as required, in line with institutional needs and any applicable policies. These meetings typically take place online. When held in person, these meetings are subject to the standard room booking and scheduling procedures.

- **Other events and activities**

36. Events and activities, including those involving external speakers which are not part of normal CCL business operations, must follow the [Events and Speakers Procedure](#) to ensure appropriate oversight, risk management, and compliance with statutory duties. As such staff and students who wish to organise events, meetings, or activities whether in-person or online that fall outside the scope of the categories listed above (e.g. public lectures, panel discussions, or student-led events) must follow the procedures outlined in the [Events and Speakers Procedure](#). This procedure is accessible via the Student Directory, the Staff Quality Hub and the institutional website.

G. Freedom of Speech Complaints

37. CCL is committed to upholding the principles of freedom of speech and academic freedom, in accordance with its statutory duties. This section outlines the procedures available to students and staff who wish to raise concerns relating to these matters.

38. Students who wish to raise a complaint concerning a freedom of speech matter should follow the process set out in the [Student Complaints Procedure](#). This procedure is accessible via the Student Directory and the institutional website.

39. Staff members who wish to raise a concern relating to freedom of speech should do so through the **Staff Grievance Procedure**, as outlined in the Staff Handbook.

40. Complaints submitted at the formal stage of either the Student Complaints Procedure or the Staff Grievance Procedure as a result of this Code will be subject to an initial assessment to determine whether they warrant a formal investigation.

41. CCL's position is that the lawful expression of a viewpoint regardless of how controversial or unpopular will not, in itself, constitute grounds for a formal investigation.

42. Where appropriate, CCL may determine that a complaint concerning freedom of speech is more suitably addressed under a different institutional procedure. For example, a complaint involving alleged student misconduct may be referred to the Student Conduct Procedure.

43. Where a student remains dissatisfied following the conclusion of their student complaint process, they may be eligible to submit a complaint to the Office of the Independent Adjudicator for Higher Education (OIA). The OIA is an independent body established under the Higher Education Act 2004 to review unresolved student complaints.
44. To do so, the student must have received a Completion of Procedures (COP) Letter from CCL. Complaints to the OIA must be submitted within 12 months of the date of the COP letter.
45. Further information on the Office of the Independent Adjudicator for Higher Education (OIA) is available at www.oiahe.org.uk.
46. Staff members who remain dissatisfied following the conclusion of their grievance should seek further advice from the Human Resources Team by sending an email to hr@corndel.com.

H. Reporting and Monitoring

47. CCL is committed to ensuring transparency and accountability in the implementation of its duties relating to freedom of speech.
48. To support this commitment:
- i. The Board of Governors will receive an annual report detailing significant activities, emerging trends, and other relevant matters concerning the operation and effectiveness of this Code of Practice. This report will include anonymised statistical data on the number and nature of events, as collected through the Events and Speakers Procedure.
 - ii. Anonymised statistical data gathered through the Speakers Procedure and approved by the Board of Governors will also be submitted annually to the Office for Students (OfS) as part of the institution's obligations under the *Prevent Duty Monitoring, Accountability and Data Return*.
 - iii. Any event or circumstance arising under this Code that materially affects, or has the potential to materially affect, CCL's legal status, business model, or ability to meet the ongoing conditions of registration with the OfS shall be classified as a '*Reportable Event*' and disclosed to the OfS in accordance with regulatory requirements.

Appendix A: Legal Context and Intersecting Legislative Duties

CCL recognises that the right to freedom of speech and academic freedom must be exercised within the boundaries of the law. In fulfilling its statutory duties under the **Higher Education (Freedom of Speech) Act 2023**, the Institution must also comply with a range of other legal obligations. These laws may, in specific circumstances, justify proportionate limitations on speech to protect the rights, safety, and wellbeing of others, and to ensure institutional integrity.

The following legislation is particularly relevant to the lawful exercise of freedom of speech at CCL:

➤ **Health and Safety at Work etc. Act 1974**

CCL has a duty to ensure, as far as is reasonably practicable, the health, safety, and welfare of its staff, students, and visitors. Events or speech that pose a credible risk to physical safety may be subject to restrictions or conditions to mitigate harm.

➤ **Public Order Act 1986**

This Act prohibits speech or conducts that is likely to incite violence, hatred, or public disorder. CCL will not permit events or activities that are likely to breach public order or incite unlawful behaviour.

➤ **Education (No. 2) Act 1986 & Education Reform Act 1988**

These Acts impose duties on higher education institutions to ensure that freedom of speech within the law is secured for students, staff, and visiting speakers, while also protecting academic standards and institutional autonomy.

➤ **Data Protection Act 2018 & UK General Data Protection Regulation (UK GDPR)**

Freedom of speech must be balanced with individuals' rights to privacy and data protection. The processing of personal data in connection with events or speech must comply with data protection principles, including lawfulness, fairness, and transparency.

➤ **Human Rights Act 1998 (incorporating the European Convention on Human Rights)**

Article 10 protects the right to freedom of expression, but this right is qualified and may be restricted where necessary in a democratic society for example, to protect public safety, prevent disorder or crime, or safeguard the rights of others.

➤ **Protection from Harassment Act 1997**

Speech or conduct that amounts to harassment—defined as behaviour causing alarm or distress may be subject to legal sanction. CCL will not tolerate harassment in any form, including under the guise of free expression.

➤ **Proceeds of Crime Act 2002**

CCL must ensure that its premises and resources are not used to facilitate criminal activity, including the generation or laundering of illicit funds. Events involving financial transactions must be subject to appropriate scrutiny.

➤ **Racial and Religious Hatred Act 2006**

This Act criminalises incitement to hatred on the grounds of race or religion. CCL will not permit speech that promotes hatred or hostility based on protected characteristics.

➤ **Terrorism Acts 2000 and 2006 & Counterterrorism and Security Act 2015**

Under the Prevent duty, CCL must have due regard to the need to prevent individuals from being drawn into terrorism. Speech that promotes extremist ideologies or supports proscribed organisations is not protected and will be subject to intervention.

➤ **Equality Act 2010**

CCL has a duty to eliminate discrimination, advance equality of opportunity, and foster good relations between individuals. Speech that constitutes unlawful discrimination, harassment, or victimisation is not protected under freedom of speech law.

Note: This is not an exhaustive list. CCL will consider all relevant legislation and regulatory guidance when making decisions regarding the exercise of academic freedom and freedom of speech.

Appendix B: Safeguarding and Prevent Duty

CCL is committed to ensuring that all activities conducted under the banner of academic freedom and freedom of speech are delivered in a manner that upholds its statutory Safeguarding and Prevent duty responsibilities. These responsibilities apply to all students, staff, visitors, and members of the wider community who engage with the Institution, whether in person or online.

The institution will take reasonable steps to protect individuals, particularly children and vulnerable adults, from harm, abuse, exploitation, and radicalisation.

➤ Application of Freedom of Speech

While CCL upholds the right to lawful freedom of speech, this right does not override the institution's duty to safeguard individuals from harm. In the context of events, meetings, and academic activities, safeguarding considerations may include:

- Ensuring that content or speech does not expose individuals to psychological harm, abuse, or undue distress;
- Preventing the dissemination of extremist or radicalising material, in line with the Prevent duty;
- Ensuring that vulnerable individuals are not placed at risk through participation in or exposure to certain discussions or environments;
- Taking appropriate action where concerns are raised about the welfare of any participant.

➤ Responsibilities of Organisers

Event organisers, academic staff, and facilitators are expected to:

- Consider safeguarding implications when planning and delivering events or teaching sessions;
- Report any safeguarding concerns to the Designated Safeguarding Lead (DSL) or their nominee without delay. Organisers should send an email to safeguarding@corndel.com ;
- Cooperate with any safeguarding measures or risk assessments required by the institution.

➤ Institutional Oversight

CCL will assess safeguarding risks as part of its event and speaker approval processes. Where necessary, additional controls may be implemented to ensure that freedom of speech is exercised in a manner that is consistent with the institution's safeguarding duties.

Appendix C: Useful Definitions and Terminology

- **Academic staff:** A member of staff who is employed, or otherwise engaged, for the purpose of teaching or conducting research.
- **Academic Freedom:** In relation to academic staff at a registered higher education provider, means their freedom within the law (a) to question and test received wisdom, and (b) to put forward new ideas and controversial or unpopular opinions, without placing themselves at risk of being adversely affected. Such as at risk of (1) loss of their jobs or privileges at the provider; (2) the likelihood of their securing promotion or different jobs at the provider being reduced. ***As defined at Part A1 of HERA (as amended by the Act).***
- **Premises:** Includes all land, buildings, facilities, and other property in the possession of, or owned, leased, used, supervised or controlled by the university, college or students' union.